IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 873 (SS) of 2007

1. Smt. Gargi Badoni, aged about 32 years W/o Sri Harish Chandra Badoni, R/o Village and Post – Dang Chaore, Kirti Nagar, Tehri Garhwal.
2. Smt. Laxmi Bhadri, aged about 33 years, W/o Sri Prakash Chandra, R/o Rajiv Gram, Munni Ki Reti, Rishikesh, Narendra Nagar, Tehri Garhwal.

…… Petitioners.

Versus

1. State of Uttarakhand, through Secretary, Education, Uttarakhand Shashan, Dehradun.
2. Director of Education, Uttarakhand, Dehradun.
3. District Education Officer, Tehri Garhwal.
4. Additional District Education Officer (Basic), Tehri Garhwal, New Tehri.

…….. Respondents.

Hon'ble M.M. Ghildiyal, J

Heard Sir Subhash Upadhyay, learned counsel for the petitioners and Sri N. P. Shah, learned standing counsel for State of Uttarakhand on behalf of respondents.

By means of this writ petition, the petitioners have challenged order dated 14.06.2007 passed by respondent no. 4 by which petitioner no. 1 has been transferred from Primary School, Rajiv Gram, Chaudha Bigha to Primary School, Hundu, Kirtinagar and petitioner no. 2 has been transferred from Primary school, Rajiv Gram, Chaudha Bigha to Primary School, Manjoli Dagar, Kirtingar.

Petitioners have challenged this order of transfer on two grounds. According to the petitioners the standard fixed by the

Government for number of teachers in Primary School is – upto the strength 260 students, there may be six teachers, whereas in the Institutions from which petitioners have been transferred there are 270 students and there are six teachers including the petitioners and one headmaster. Second ground is that some of the teachers, who are working in the institution since 1999 and 2002, have not been transferred whereas petitioners, who are working since 2005, have been transferred.

Learned counsel for the petitioners has submitted that petitioners have already made representations for redressal of their grievance before District Education Officer on 06.07.2007 (Annexure no. 6 to the writ petition) and the same are still pending.

District Education Officer, Tehri Garhwal is directed to take decision on the aforesaid representations of the petitioners within a period of two weeks from the date of production of certified copy of this order. Learned counsel for the petitioners is also directed to submit the copy of this order before District Education Officer, Tehri Garhwal, within a week from today.

Till 10.08.2007 or till the decision in taken by District Education Officer, Tehri Garhwal, on the representations of the petitioners, whichever is earlier, petitioners shall not be relieved from the present place of posting.

With this direction, writ petition as well as stay application no. nil of 2007 is disposed of. No order as to costs.

(M.M. Ghildiyal, J)

July 13, 2007
SKSharma